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13 Attorneys for Defendant SAVANNAH WILLIAMS

14 UNITED STATES DISTRICT COURT

15 CENTRAL DISTRICT OF CALIFORNIA

16 LINDA COOPER, Individually, And On
17 Behalf Of The Estate Of Decedent,
18 ELINA QUINN BRANCO,

19 Plaintiff,

20 vs.

21 COUNTY OF SAN LUIS OBISPO, a
22 governmental entity, form unknown;
23 SIERRA MENTAL WELLNESS
24 GROUP, a California Non-Profit
25 Corporation; JASON HOOSON,
26 individually; SAVANNAH WILLIAMS,
27 individually; JOSH SIMPSON,
28 individually; BONNIE SAYERS,
individually; JULIA TIDIK,
individually; BETHANY AURIOLES,
individually; JANET BROWN,

CASE NO: 2:24-CV-08187-SVW (AJRx)

**DEFENDANT SAVANNAH WILLIAMS'
ANSWER TO PLAINTIFF'S
COMPLAINT; DEMAND FOR JURY
TRIAL**

COMPLAINT FILED: 9/23/24

TRIAL DATE: Not scheduled

1 individually, SHELE WATSON,
2 individually; DOES 1 through 10,
3 inclusive,

4 Defendants.

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6
7 COMES NOW Defendant SAVANNAH WILLIAMS to respond to the Complaint for
8 Damages of Plaintiff, for herself alone and for no other Defendant, as follows:

9 1. Referring to paragraphs 12, 13, 14, 71, and 72 of Plaintiff's Complaint, this
10 Answering Defendant admits the allegations contained therein.

11 2. Referring to paragraphs 24, 25, 87, 88, 89, 90, 91, 97, 99, 100, 101, 106, 108,
12 114, 121, 123, 124, 128, 129, 130, 136, 140, 141, 142, 143, 144, 147, 148, 149, 150 and
13 151 of Plaintiff's Complaint, this Answering Defendant denies, both generally and
14 specifically, all and singular, each and every allegation contained in said paragraphs.

15 3. Referring to paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 17, 18, 19, 20, 26, 27,
16 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 50, 56, 57, 58, 59, 60, 61, 62,
17 63, 64, 65, 66, 67, 68, 69, 70, 73, 74, 75, 76, 77, 78, 79, 80, 85, 86, 93, 94, 95, 96, 102,
18 103, 104, 116, 125, 126, 127, 132, 133, 134, 135, 138, 139 and 146 of Plaintiff's Complaint,
19 this Answering Defendant lacks sufficient information or belief to enable her to answer said
20 paragraphs, and basing this denial upon such lack of information believed, denies both
21 generally and specifically, all and singular, each and every allegation contained therein.

22 4. Referring to paragraphs 83, 92, 98, 107, 115, 122, 131, 137, and 145, of
23 Plaintiff's Complaint, this Answering Defendant refers to and incorporates by reference its
24 responses to the incorporated paragraphs as though fully set forth herein.

25 5. Referring to paragraph 16 of Plaintiff's Complaint, this Answering Defendant
26 admits she was at all relevant times an employee and/or agent of SIERRA and acting
27 within the course and scope of her employment therein, and at all times was acting as an
28 individual and not as a state actor; save and except as herein specifically admitted, this

1 Answering Defendant denies, generally and specifically, all and singular, each and every
2 remaining allegation contained in said paragraph.

3 6. Referring to paragraph 23 of Plaintiff's Complaint, this Answering Defendant
4 admits she was at all relevant times an employee and/or agent of SIERRA and acting
5 withing the course and scope of her employment therein, and at all times was acting as an
6 individual and not as a state actor; save and except as herein specifically admitted, this
7 Answering Defendant denies, generally and specifically, all and singular, each and every
8 remaining allegation contained in said paragraph.

9 7. Referring to paragraph 30 of Plaintiff's Complaint, this Answering Defendant
10 denies she had access to prior charting records indicating high risk and underlying medical
11 condition; save and except as herein specifically set forth, this Answering Defendant lacks
12 sufficient information or belief to enable her to answer said allegations, and basing this
13 denial upon such lack of information believed, denies both generally and specifically, all
14 and singular, each and every remaining allegation contained therein.

15 8. Referring to paragraph 55 of Plaintiff's Complaint, this Answering Defendant
16 sets forth that Defendant AURIOLES called 911 to report Decedent's unresponsiveness;
17 save and except as herein specifically set forth, this Answering Defendant lacks sufficient
18 information or belief to enable her to answer said allegations, and basing this denial upon
19 such lack of information believed, denies both generally and specifically, all and singular,
20 each and every remaining allegation contained therein.

21 9. Referring to paragraph 84 of Plaintiff's Complaint, this Answering Defendant
22 denies it was her decision to operate CSU without an on-site supervisor during evening -to-
23 morning shifts and/or to deprive staff of access to policy and procedure manuals, assuming
24 that occurred; save and except as herein specifically set forth, this Answering Defendant
25 lacks sufficient information or belief to enable her to answer said allegations, and basing
26 this denial upon such lack of information believed, denies both generally and specifically,
27 all and singular, each and every remaining allegation contained therein.

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10. Referring to paragraphs 81, 89, 90, 93 and 100 of Plaintiff's Complaint, this Answering Defendant sets forth that the citations therein is/are subject to interpretation. As such, this paragraph mischaracterizes the state of the law, and this Answering Defendant denies that it is liable to Plaintiff pursuant to the authorities cited, and/or pursuant to any theory, cause of action, or that this Answering Defendant breached any duty and/or violated any rights of Plaintiff at all; save and except as herein specifically admitted, this Answering Defendant denies, generally and specifically, all and singular, each and every remaining allegation contained in said paragraph.

11. Referring to paragraph 105 of Plaintiff's Complaint, this Answering Defendant denies it was her decision to operate CSU without an on-site supervisor during evening -to-morning shifts and/or to deprive staff of access to policy and procedure manuals, assuming that occurred, and/or that any decision on the part of this Answering Defendant placed Decedent in a worse position than that which she was prior to placement; save and except as herein specifically set forth, this Answering Defendant lacks sufficient information or belief to enable her to answer said allegations, and basing this denial upon such lack of information believed, denies both generally and specifically, all and singular, each and every remaining allegation contained therein.

12. Referring to paragraph 109/110 of Plaintiff's Complaint, this Answering Defendant admits she was at all relevant times an off-site employee and always was acting as an individual and not as a state actor; save and except as herein specifically admitted, this Answering Defendant denies, generally and specifically, all and singular, each and every remaining allegation contained in said paragraph(s).

13. Referring to paragraph 111, 112, and 113 of Plaintiff's Complaint, this Answering Defendant denies, generally and specifically, all and singular, each and every allegation contained in said paragraphs.

14. Referring to paragraph 116 of Plaintiff's Complaint, this Answering Defendant sets forth that the citations therein is/are subject to interpretation. As such, this paragraph mischaracterizes the state of the law, and this Answering Defendant denies that it is liable

1 to Plaintiff pursuant to the authorities cited, and/or pursuant to any theory, cause of action,
2 or that this Answering Defendant breached any duty and/or violated any rights of Plaintiff
3 at all; save and except as herein specifically admitted, this Answering Defendant denies,
4 generally and specifically, all and singular, each and every remaining allegation contained
5 in said paragraph.

6 15. Referring to paragraph 117 of Plaintiff's Complaint, this Answering Defendant
7 denies she assumed substantial caretaking and custodial relationship with Plaintiff's
8 decedent so as to create a duty upon her to safeguard her health and safety; save and except
9 as herein specifically set forth, this Answering Defendant lacks sufficient information or
10 belief to enable her to answer said allegations, and basing this denial upon such lack of
11 information believed, denies both generally and specifically, all and singular, each and
12 every remaining allegation contained therein.

13 16. Referring to paragraph 118 of Plaintiff's Complaint, this Answering Defendant
14 responds that she denies she had custody and/or care for Plaintiff's decedent; save and
15 except as herein specifically admitted, this Answering Defendant denies, generally
16 specifically, all and singular, each and every allegation contained in said paragraph.

17 17. Referring to paragraph 119 of Plaintiff's Complaint, this Answering Defendant
18 denies that she at any time by any act or omission cause injury or harm to Plaintiff and/or
19 Plaintiff's decedent so as to allow recovery under this cause of action, or any other cause of
20 action, theory, statute, or enactment so as to allow Plaintiff to recover damages sought, or
21 any damages at all as to this Answering Defendant; save and except as herein specifically
22 admitted, this Answering Defendant denies, generally and specifically, all and singular,
23 each and every remaining allegation contained in said paragraph.

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AFFIRMATIVE DEFENSES

AS A FIRST, SEPARATE AND AFFIRMATIVE DEFENSE

TO PLAINTIFF'S COMPLAINT, THIS

ANSWERING DEFENDANT ALLEGES:

The Complaint on file herein fails to state a claim upon which relief can be granted as to this Answering Defendant.

AS A SECOND, SEPARATE AND AFFIRMATIVE DEFENSE

TO PLAINTIFF'S COMPLAINT, THIS

ANSWERING DEFENDANT ALLEGES:

All events in connection with the allegations in the Complaint and any resulting injuries or damages, were contributed to and proximately caused by the negligence of the Plaintiff, and/or Plaintiff's decedent in that the Plaintiff's decedent failed to exercise ordinary care for her well-being of under the circumstances, thereby barring the Plaintiff from any recovery.

AS A THIRD, SEPARATE AND AFFIRMATIVE DEFENSE

TO PLAINTIFF'S COMPLAINT, THIS

ANSWERING DEFENDANT ALLEGES:

This Answering Defendant is not liable for any punitive damages nor statutory penalties, and this Answering Defendant has never taken any action with willful or conscious disregard of the Plaintiff's rights, has not engaged in any despicable conduct with regard to the Plaintiff, nor has Answering Defendant performed or omitted any act which would constitute intentional misrepresentation, deceit or concealment of a material fact with the intention of depriving Plaintiff of property, legal rights or causing injury.

AS A FOURTH, SEPARATE AND AFFIRMATIVE

DEFENSE TO PLAINTIFF'S COMPLAINT, THIS

ANSWERING DEFENDANT ALLEGES:

The Plaintiff is estopped by her own conduct from asserting the allegations in the Complaint on file herein.

**AS A FIFTH, SEPARATE AND AFFIRMATIVE
DEFENSE TO PLAINTIFF’S COMPLAINT, THIS
ANSWERING DEFENDANT ALLEGES:**

The Plaintiff, through the exercise of reasonable effort, could have mitigated the amount of damages, if there were any, but Plaintiff failed and refused, and continues to fail and refuse, to exercise a reasonable effort to mitigate damages, and therefore the Plaintiff is barred from seeking recovery of those damages.

**AS A SIXTH, SEPARATE AND AFFIRMATIVE
DEFENSE TO PLAINTIFF’S COMPLAINT, THIS
ANSWERING DEFENDANT ALLEGES:**

This Answering Defendant acted in good faith and did not directly or indirectly perform any acts whatsoever which would constitute a violation of any rights possessed by the Plaintiff and/or Plaintiff’s decedent, nor which would otherwise constitute a breach of any duty owed to the Plaintiff.

**AS A SEVENTH, SEPARATE AND AFFIRMATIVE
DEFENSE TO PLAINTIFF’S COMPLAINT, THIS
ANSWERING DEFENDANT ALLEGES:**

This Answering Defendant is immune from liability in that the injuries and damages, if any, sustained by the Plaintiff at the time and places alleged in the Complaint on file herein, were a direct and proximate result of the acts, omissions or negligence of a third party not within the knowledge or control of this Answering Defendant and were sustained, if at all, without any negligence or wrongful act or omission on the part of this Answering Defendant.

**AS AN EIGHTH, SEPARATE AND AFFIRMATIVE
DEFENSE TO PLAINTIFF’S COMPLAINT, THIS
ANSWERING DEFENDANT ALLEGES:**

This Answering Defendant is entitled to recover reasonable expenses, including attorney’s fees, from the Plaintiff and his counsel, in that the Plaintiff’s Complaint on file

1 herein is frivolous and was brought and maintained in bad faith and without reasonable
2 cause, is totally and completely without merit, and was brought for the sole purpose of
3 harassing this Answering Defendant.

4 **AS A NINTH, SEPARATE AND AFFIRMATIVE**
5 **DEFENSE TO PLAINTIFF'S COMPLAINT, THIS**
6 **ANSWERING DEFENDANT ALLEGES:**

7 This Answering Defendant is not liable for damages awarded under Section 3294 of
8 the California Civil Code or any other damages that might be imposed primarily for the
9 sake of example and by way of punishing this Answering Defendant.

10 **AS A TENTH, SEPARATE AND AFFIRMATIVE**
11 **DEFENSE TO PLAINTIFF'S COMPLAINT, THIS**
12 **ANSWERING DEFENDANT ALLEGES:**

13 At all times relevant to this litigation, the Plaintiff's injuries or damages were not
14 caused by any act or omission by or on behalf of this Answering Defendant which occurred
15 or failed to occur under color of law, thereby precluding the Plaintiff from any recovery
16 from this Defendant.

17 **AS AN ELEVENTH, SEPARATE AND AFFIRMATIVE**
18 **DEFENSE TO PLAINTIFF'S COMPLAINT, THIS**
19 **ANSWERING DEFENDANT ALLEGES:**

20 At all times relevant to this litigation, the Plaintiff consented, either expressly or
21 impliedly, to any such acts or conduct as may be shown on the part of this Answering
22 Defendant.

23 **AS A TWELFTH, SEPARATE AND AFFIRMATIVE**
24 **DEFENSE TO PLAINTIFF'S COMPLAINT, THIS**
25 **ANSWERING DEFENDANT ALLEGES:**

26 At no time relevant to this litigation, was the Plaintiff deprived of life, liberty or
27 property by any act or omission on the part of this answering Defendant thereby precluding
28

1 the Plaintiff from maintaining her causes of action for violation of her civil rights. Daniels
2 v. Williams, 474 U.S. 327 (1986).

3 **AS A THIRTEENTH, SEPARATE AND AFFIRMATIVE**
4 **DEFENSE TO PLAINTIFF'S COMPLAINT, THIS**
5 **ANSWERING DEFENDANT ALLEGES:**

6 At all times relevant to this litigation, this Answering Defendant acted in good faith
7 and honest, reasonable belief that this Answering Defendant's actions were reasonable and
8 necessary, thereby precluding the Plaintiff from maintaining any causes of action for
9 violation of civil rights.

10 **AS A FOURTEENTH, SEPARATE AND AFFIRMATIVE**
11 **DEFENSE TO PLAINTIFF'S COMPLAINT, THIS**
12 **ANSWERING DEFENDANT ALLEGES:**

13 If it should be found that this Defendant is in any manner legally responsible for
14 injury or damages, if any, sustained by Plaintiff, which supposition is denied and merely
15 stated for the purpose of this affirmative defense, that any injuries or damages found to have
16 been incurred or suffered by Plaintiff in this action, were proximately caused or contributed
17 to by others in this case, and/or by other persons or entities not parties to this action, and it
18 is necessary that the proportionate degree of negligence or fault or unreasonable conduct of
19 each of said persons or entities whether parties to this action or not, be determined and pro-
20 rationed and that any judgment that might be rendered against this Answering Defendant
21 be reduced not only by the degree of comparative negligence found to exist as to Plaintiff
22 but also as to the total of that degree of negligence, fault and/or unreasonable conduct found
23 to exist as to said other persons or entities.

24 **AS A FIFTEENTH, SEPARATE AND AFFIRMATIVE**
25 **DEFENSE TO PLAINTIFF'S COMPLAINT, THIS**
26 **ANSWERING DEFENDANT ALLEGES:**

27 As a separate affirmative defense, Defendant alleges that any actions of placement
28 and supervision of Plaintiff's decedent is a discretionary and quasi-governmental function

1 and if it should be found that Defendant did engage in such activity (which Defendant
2 denies) in connection with Plaintiff's decedent, then Defendant is entitled to all immunities
3 accorded a public employee under state and/or federal law, including but not limited to
4 those provided by the *California Government Code*, including but not limited to
5 *Government Code* sections 815 and 820.2.

6 **AS A SIXTEENTH, SEPARATE AND AFFIRMATIVE**
7 **DEFENSE TO PLAINTIFF'S COMPLAINT, THIS**
8 **ANSWERING DEFENDANT ALLEGES:**

9 Plaintiff has failed to exhaust administrative remedies.

10 **AS A SEVENTEENTH, SEPARATE AND AFFIRMATIVE**
11 **DEFENSE TO PLAINTIFF'S COMPLAINT, THIS**
12 **ANSWERING DEFENDANT ALLEGES:**

13 Plaintiff's failure to exhaust administrative remedies deprives this Court of subject
14 matter jurisdiction.

15 **AS AN EIGHTEENTH, SEPARATE AND AFFIRMATIVE**
16 **DEFENSE TO PLAINTIFF'S COMPLAINT, THIS**
17 **ANSWERING DEFENDANT ALLEGES:**

18 As a separate affirmative defense, Defendant alleges that at all relevant times she was
19 engaging in private conduct and cannot be viewed as a "state actor" under any analysis
20 including but not limited to the "public function", "joint action", "governmental compulsion
21 or coercion", and/or "governmental nexus" tests. As such, Plaintiff cannot state a cause of
22 action against responding Defendant, and this Court is deprived of jurisdiction.

23 **AS A NINETEENTH, SEPARATE AND AFFIRMATIVE**
24 **DEFENSE TO PLAINTIFF'S COMPLAINT, THIS**
25 **ANSWERING DEFENDANT ALLEGES:**

26 This Answering Defendant alleges she presently has insufficient knowledge or
27 information on which to form a belief as to whether she may have additional, as yet
28 unstated, affirmative defenses available. This Answering Defendant reserves the right to

1 assert additional affirmative defenses if, based on discovery, such defenses are determined
2 to be appropriate.

3 Referring to Plaintiff's PRAYER FOR RELIEF, this Answering Defendant denies
4 both generally and specifically, all and singular, each and every allegation contained
5 therein, and further denies that Plaintiff has been damaged in the sum set forth, and or any
6 sum, and/or at all, and further sets forth that Plaintiff is not entitled to an award of fees
7 and/or costs and or for any relief as prayed, and or any relief at all. Defendant prays that
8 Plaintiff take nothing by reason of her Complaint and/or otherwise, and that this Answering
9 Defendant be given judgment for her costs of suit incurred herein, to be incurred, and for
10 such other and further relief as the Court deems just and proper.

11
12 DATED: November 7, 2024

Respectfully submitted,

CLOUSESPANIAC ATTORNEYS

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14
15 By: s/ Katharine L. Spaniac

16 KATHARINE L. SPANIAC

17 RICHARD R. CLOUSE

18 YOLANDA E. LOPEZ

19 Attorneys for Defendant

20 SAVANNAH WILSON
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DEMAND FOR A JURY TRIAL

**TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO THE PARTIES
AND TO THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that Defendant, SAVANNAH WILSON hereby
demands a jury trial in the above-entitled action.

DATED: November 7, 2024

CLOUSESPANIAC ATTORNEYS

By: s/ Katharine L. Spaniac

KATHARINE L. SPANIAC

RICHARD R. CLOUSE

YOLANDA E. LOPEZ

Attorneys for Defendant

SAVANNAH WILSON

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